

REMARKS

Status of the Application

Claims 1-3 and 5-18 are all the claims pending in the Application. Claims 1-3 and 5-18 have been rejected.

Anticipation Rejection

The Examiner has rejected claims 9-13 under 35 U.S.C. § 102(b) as being anticipated by *Miyazaki et al.* (US 5,691,506; hereinafter "*Miyazaki*"). This rejection is respectfully traversed.

Miyazaki discloses two embodiments of "a ground structure for a shield wire" (col. 1, lines 6-7) in FIGS. 1 and 5/6, respectively.

FIG. 1 shows a multi-piece ground structure composed of, *inter alia*, tubular shield cap 20, flange 21 and spring pieces 41 arranged adjacently to metal casing 10 and shield wire 30. Flange 21 is connected to metal casing 10 via bolts 13, and shield cap 20 is electrically connected to the braids 32 of shield wire 30 by way of spring pieces 43 in notches 41 only. Nowhere does *Miyazaki* teach or suggest contact between shield cap 20 and braids 32.

FIGS. 5/6 show a similar structure, but with two tubular members 122 mounted on flange 121. Again, tubular members 122 are electrically connected to braids 132 by springs 143 only. Nowhere does *Miyazaki* teach or suggest contact between tubular members 122 and braids 132.

Regarding independent claims 9 and 13, the Examiner takes the position that *Miyazaki* discloses "a conductive shield member (20) including a plate member (121)" (Office Action, pg. 2).

As an initial matter, Applicants respectfully submit that the Examiner's rejection is confusing inasmuch as it cites the tubular shield cap 20 of *Miyazaki's* first embodiment as including the flange 121 of *Miyazaki's* second embodiment.

In any event, Applicants respectfully submit that neither of the embodiments of *Miyazaki* teach or suggest all of the features of claims 9 and/or 13.

Specifically, *Miyazaki* fails to teach or suggest: (1) "a conductive shield member" comprising "a connection portion provided to contact a shielding portion of the shielded wire" where "said reinforcing rib, said connection portion and said shield member are formed of a one-piece construction," as recited in claim 9; or (2) "a shield member" comprising "a connection portion having a tubular shape provided around the hole to support and contact a shielding portion of a shielded wire" where "said reinforcing rib, said connection portion and said shield member are formed of a one-piece construction," as recited in claim 13.

Specifically, the element of *Miyazaki* cited by the Examiner as corresponding to the recited "shield member," tubular shield cap 20, is a single tubular element that is separated from the shield wire 30 by resin second tubular member 40, except for notches 41 where spring pieces 43 are provided to electrically contact wire braids 32 to tubular shield cap 20.

Thus, it is clear that no portion of tubular shield cap 20 can reasonably be read as providing the claimed "connection portion," as no part of tubular shield cap 20 is arranged to "contact" wire braids 32. The only portions of the embodiment shown in FIG. 1 that "contact" wire braids 32 are spring pieces 43, which are clearly not part of tubular shield cap 20.

A similar arrangement is provided in the embodiment of FIGS. 5/6, where only springs 143 contact wire braids 132.

Thus, Applicants respectfully submit that independent claims 9 and 13 are patentable over the applied reference. Further, Applicants respectfully submit that rejected dependent claims 10-12 are allowable, *at least* by virtue of their dependency.

Thus, Applicants respectfully request that the Examiner withdraw this rejection.

Obviousness Rejection

The Examiner has rejected claims 1-4, 6-8 and 14-18 under 35 U.S.C. § 103(a) as being unpatentable over what the Examiner alleges to be the “admitted prior art (the current application, FIG. 4-6).” This rejection is respectfully traversed.

As explained on page 3 of the February 21, 2003 Amendment, “[t]he specification refers to Figs. 4-6 as depicting devices according to ‘convention’ or ‘related art.’ Applicants use these terms to the extent that these devices relate to ‘in house’ knowledge (*i.e.*, known within Applicants’ company). In fact, Figs. 4-6 depict the inventors’ ideas during a development stage, but no actual product actually existed. For these reasons, Figs. 4-6 are not ‘Prior Art’ and, therefore, do not need to be labeled as such.”

Thus, the Examiner’s allegation that the FIGS. 4-6 are “admitted prior art” is incorrect, and Applicants respectfully request that the Examiner withdraw this rejection.

Response Under 37 C.F.R. § 1.111
U.S. Appln. No.: 10/046,075

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Conclusion

In view of the foregoing, it is respectfully submitted that claims 1-3 and 5-18 are allowable. Thus, it is respectfully submitted that the application now is in condition for allowance with all of the claims 1-3 and 5-18.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Please charge any fees which may be required to maintain the pendency of this application, except for the Issue Fee, to our Deposit Account No. 19-4880.

Respectfully submitted,



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